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JAN 04 2011

OFFICE OF PETITIONS

In re Application of :
Patel, et al. :
Application No. 10/816,841 :
Filed: April 5, 2004 :
Attorney Docket No. 12351-12 :
For: PACKET BASED TRANSMISSION
OF MULTIPLE DATA SIGNALS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 8, 2010, to revive the above-identified application.

This application became abandoned for failure to properly reply to the final Office action, mailed June 24, 2009, which set an extendable three month period for reply. Applicants submitted an amendment after final on August 20, 2009. The amendment after final failed to place this application in *prima facie* condition for allowance, as was explained in the September 23, 2009 Advisory action. Applicants submitted a three month extension of time and an amendment after final on December 23, 2009. The amendment after final failed to place this application in *prima facie* condition for allowance, as was explained in the February 18, 2010 Advisory action. Accordingly, this application became abandoned on December 25, 2009. A Notice of Abandonment was mailed on February 18, 2010. A petition to revive under 37 CFR 1.137(b), filed on April 29, 2010, was dismissed on September 20, 2010.

Applicants have submitted a RCE, authorization to charge the \$405.00 required fee to petitioners' deposit account, and a request to use the previously filed amendment of April 29, 2010 as the submission in reply to the June 24, 2009 final Office action, an acceptable statement of the unintentional nature of the delay in responding to the June 24, 2009 final Office action, and the \$810.00 petition fee.

The petition is **GRANTED**.

Regarding fees, applicants have submitted two \$810.00 revival fees. Only one is necessary. Deposit account no. 02-2095 will be refunded \$810.00. Pursuant to applicants' authorization, deposit account no. 02-2095 will be charged the \$405.00 RCE filing fee.

This application is being referred to Technology Center AU 2465 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment previously submitted.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.

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